

**UNITED STATES BANKRUPTCY COURT
WESTERN DISTRICT OF NORTH CAROLINA
STATESVILLE DIVISION**

In Re:
Alan Daugherty Huggins

Case No. 24-50313

Chapter 13

SSN#: XXX-XX-0544

**MOTION OF TRUSTEE FOR DETERMINATION
OF STATUS OF CLAIMS IN CONFIRMED PLAN**

The undersigned Trustee in the above-referenced Chapter 13 case reports that he has examined the Proofs of Claim filed in the case and hereby moves that the claims be allowed as reported below for payment by the Trustee under the terms of the confirmed plan. To the extent that any claim as reported differs from the claim as scheduled or filed, the Trustee OBJECTS to that claim and classifies it as he believes proper under applicable law. The claims as reported herein include those proofs of claim believed by the Trustee to have been filed pursuant to Federal Rule of Bankruptcy Procedure 3004. The information contained herein is deemed accurate as of the date referenced in the next sentence of this Motion, and subsequent amendments or alterations to filed proofs of claims after the date referenced in the sentence below are not reflected or altered by the relief requested in this Motion.

Claim information in motion is current as of 3/26/2025.

The plan as confirmed estimates the payment of a dividend to the general unsecured creditors of 4%.

IF YOU ARE A CREDITOR, TAKE NOTICE THAT YOUR RIGHTS MAY BE AFFECTED BY THE FINAL DISPOSITION OF THE TRUSTEE'S MOTION.

Payee	Trustee Claim #	Clerk Claim #	Type	Level	Filed Claim Amt	Treatment of Claim	Acct # (Last 4)	Trustee Interest Rate(%)
Bank of America NA	4	3	M-Mortgage	30	\$292,436.16	CONDUIT	0332	
Bank of America NA	5	3	m-Mortgage Pre-Petition Arrears	50	\$0.00	Pay by Trustee	0332	0.00
Bank of America NA	6	3	q-Mortgage Admin Arrears	50	\$5,848.71	Pay by Trustee	0332	0.00
Bank of America NA	20	3	F-Mortgage Fees/Expenses	50	\$400.00	Pay by Trustee	0332	0.00
Blue Harbor Bank	8		U-Unsecured	98	\$0.00	PAY OUTSIDE		
Blue Harbor Bank	9		U-Unsecured	98	\$0.00	PAY OUTSIDE		
Brixmor GA Apollo I Sub, LLC	10	2	U-Unsecured	80	\$186,242.78	Pay by Trustee		
Brixmor GA Apollo IV Sub, LLC	11	1	U-Unsecured	80	\$401,842.93	Pay by Trustee		
Coldwell Banker Commercial Read & Co.	12		U-Unsecured	98	\$0.00	PAY OUTSIDE		
Joan Huggins	7		R-DSO-Ongoing Payments	98	\$0.00	PAY OUTSIDE		
Jon Metzger	13		U-Unsecured	80	\$0.00	NOT FILED		
Kline Franchising	14		U-Unsecured	80	\$0.00	NOT FILED		
Mantek Properties LLC	15		U-Unsecured	80	\$0.00	NOT FILED		
ROBERT H GOURLEY JR	1		B-Base Attorney Fee(s)	20	\$10,000.00	\$5,000.00 INSIDE / \$5,000.00 OUTSIDE		
ROBERT H GOURLEY JR	2		B-Base Attorney Fee(s)	50	\$0.00	Pay by Trustee		
Rockingham Rental	16		U-Unsecured	98	\$0.00	PAY OUTSIDE		

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Payee	Trustee Claim #	Clerk Claim #	Type	Level	Filed Claim Amt	Treatment of Claim	Acct # (Last 4)	Trustee Interest Rate(%)
Staci Watkins	17	4	U-Unsecured	80	\$5,863,797.00	Pay by Trustee		
Sticky Summerville LLC	18		U-Unsecured	98	\$0.00	PAY OUTSIDE		
US Attorney	3		Z-Notice Only	99	\$0.00	NOT FILED		
US Small Business Administration	19		U-Unsecured	80	\$0.00	NOT FILED		

Wherefore, the Trustee respectfully requests that the Court grant his motion and classify the claims for payment by the Trustee as set forth herein, and that it grant such other and further relief as is appropriate and just.

Dated: 3/26/2025

Steven G. Tate
Chapter 13 Trustee
By: A. Owens

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NOTICE OF OPPORTUNITY FOR HEARING

TAKE NOTICE that the Chapter 13 Trustee has filed papers with the Court as follows: Motion for Determination of Status of Claims in Confirmed Plan. A copy of these paper (s) is included with this Notice or copied on the reverse side of this Notice.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. If you do not have an attorney, you may wish to consult one.

If you do not want the Court to grant the relief requested by the Trustee, or if you want the Court to consider your views on this matter, then on or before 4/24/2025, you or your attorney must do four things:

1. File with the Court a written response requesting that the Court hold a hearing and explaining your position. File the response at:

Clerk, U.S. Bankruptcy Court
401 W Trade St, Suite 2500
Charlotte, NC 28202

If you **mail** your response to the Court for filing, you must mail it early enough for the Court to **receive** it on or before the deadline stated above.

2. On or before the date stated above for written responses, you must also serve a copy of your response to any other party required to be served by law.

3. Attend the hearing scheduled as listed below.

4. Please refer to the Trustee's claim number in any response you may file.

If you file a response, then a hearing will be held at the following time and place:

Date: 5/2/2025

Time: 9:30 AM

Location: U.S. Courthouse
Main Courtroom, First Floor
200 West Broad Street
Statesville, NC 28677

If you or your attorney do not take these steps, **a hearing will not be held**, and the Court may decide that you do not oppose the relief sought in the matter and may enter an order granting the relief sought.

Dated: 3/26/2025

Steven G. Tate, Chapter 13 Trustee
1318 D Davie Avenue
Statesville, NC 28677-3565
(704) 872-0068 | general@ch13sta.com

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CERTIFICATE OF SERVICE

The undersigned hereby certifies a copy of the attached document has been served on the parties whose names and addresses are listed below by United States first class mail, postage prepaid on 3/26/2025.

A. Owens
Office of the Chapter 13 Trustee

Alan Daugherty Huggins, 105 Locust Lane, Blowing Rock, NC 28605
Bank of America NA, PO Box 31785, Tampa, FL 33631-3785
Bank of America NA, PO Box 660933, Dallas, TX 75266-0933
Blue Harbor Bank, 106 Corporate Park Drive, Mooresville, NC 28117
Blue Harbor Bank, Suite 200, 106 Corporate Park Dr, Mooresville, NC 28117
Brixxmor GA Apollo I Sub, LLC, PO Box 645341, Cincinnati, OH 45264-5341
Brixxmor GA Apollo IV Sub, LLC, PO Box 645341, Cincinnati, OH 45264-5341
Coldwell Banker Commercial Read & Co., 101 Annjo Court, Forest, VA 24551
Franklin L Greene, 205 Regency Executive Park Dr Suite 100, Charlotte, NC 28217
Harrisonburg VA Fitness LLC, c/o A Huggins Incorporated LLC, 105 Locust Lane, Blowing Rock, NC 28605
Joan Huggins, 1711 Enoree Ave., Columbia, SC 29205
Jon Metzger, 19412 Makayla Lane, Cornelius, NC 28031
Kline Franchising, Attn: Morgan Kline- Personal/Confidentialia, 17036 Kenton Drive, Ste 100, Davidson, NC 28036
Lynchburg VA Fitness LLC, c/o A Huggins Incorporated LLC, 105 Locust Lane, Blowing Rock, NC 28605
Mantek Properties LLC, 1662 Savannah Hwy, West Ashley, Charleston, SC 29407
Maren Funk, Godley, Glazer & Funk, 19901 W. Catawba Ave. Ste 103, Cornelius, NC 28301
Rockingham Rental, 384 Valley Church Road, Weyers Cave, VA 24486
Ronald D P Bruckmann, Shumaker Loop & Kendrick LLP, Suite 2200, 101 S Tryon St, Charlotte, NC 28280
Ryan M. Sugden, Esq., Stinson LLP, 1144 Fifteenth Street, Ste 2400, Denver, CO 80202
Staci Watkins, 21323 Baltic Drive, Cornelius, NC 28031
Steven A Meckler, Shumaker, Loop & Kendrick LLP, 101 South Tryon Street, Ste 2200, Charlotte, NC 28280
Sticky Summerville LLC, 701 East Bay Street, Ste 512, Charleston, SC 29403
US Attorney, 227 W Trade St Ste 1650, Charlotte, NC 28202
US Small Business Administration, Attn: District Counsel, 455 Market Street, Suite 600, San Francisco, CA 94150

Total Served: 24